

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date January 16, 2009

In re the Application of

John BRASSIL et al.

Application No.: 10/768,167

Filed: February 2, 2004

For: APPARATUS AND METHOD FOR DETERMINING EFFECTS OF A SUBSTANCE ON AN ORGAN



Group Art Unit: 1651

Examiner: S. SAUCIER

Docket No.: 040219.04

**SMALL ENTITY PETITION FOR 1<sup>st</sup> - 3<sup>rd</sup> EXTENSION  
OF TIME UNDER 37 C.F.R. §1.136(a) AND  
TRANSMITTAL OF FEE UNDER 37 C.F.R. §1.17**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a response to the outstanding Official Action in the above-identified patent application. The shortened statutory period having expired October 16, 2008, an extension of time for a period of 3 months is hereby requested. Attached hereto is our Check No. 214162 in the amount of \$555 in payment for:

\_\_\_\_\_ Extension fee for response within first month pursuant to §1.136(a) (\$65.00)  
\_\_\_\_\_ Extension fee for response within second month pursuant to §1.136(a) (\$245.00)  
X \_\_\_\_\_ Extension fee for response within third or subsequent month pursuant to §1.136(a) (\$555.00)

The Commissioner is hereby authorized to charge any additional fee or credit any overpayment associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,

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WPB:RBI/hjr

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**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461